

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

JASON B. TIFFIN,
Petitioner

v.

USP-LEWISBURG WARDEN,
Respondent.

:
:
:
: CIVIL NO. 1:13-CV-0851
:
:
:
:
:
:

O R D E R

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

We are considering the Report and Recommendation of Magistrate Judge Blewitt (Doc. 21), which recommends that we dismiss the petition for habeas relief. Petitioner Tiffin objects to the magistrate judge's finding that he has failed to exhaust the available administrative remedies, as required before proceeding with a habeas petition under 28 U.S.C. § 2241. To support his argument, Petitioner has reiterated the arguments already made before the magistrate judge. The magistrate judge's report fully explains the facts of the case, and disposes of Petitioner's objections. We agree with the magistrate's finding that Petitioner's failure to re-file his appeal with the BOP Central Office constitutes a failure to fully exhaust his administrative remedies. Further, because we agree that no exception to the exhaustion requirement applies, we will dismiss the petition for habeas relief.

AND NOW, this 9th day of September, 2013, upon consideration of the report and recommendation of the magistrate judge (Doc. 21), filed July 31st, 2013, and the objections that were filed, it is ordered that:

1. The magistrate judge's report is adopted (Doc. 21).
2. Petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 is dismissed.
3. The Clerk of Court shall close this file.

/s/ William W. Caldwell
William W. Caldwell
United States District Judge